THE HONOURABLE SRI JUSTICE B.PRAKASH RAO

AND

THE HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

W.A. NO. 817 OF 2006

Dated : August 7, 2006

Between:

Y.P. Reddy

Appellant

AND

The Assistant Commandant,
Central Industrial Security Force,
Ministry of Home Affiars,
Satheshdavan Space Center, SHAR,
Sriharikota, Nellore District and others

Respondents

ORDER:

(Per The Hon'ble Sri Justice B.Prakash Rao)

Heard both sides.

The unsuccessful petitioner in W.P. No. 13249 of 2006, seeks to assail the order dated 13.6.2006 made in the writ petition, by the leaned Single Judge dismissing the writ petition, wherein the petitioner questioned action of the third respondent transferring him from SHAR, Sriharikota to Bangaigaon, Assam State.

In support of his claim, the appellant places reliance on a circular dated 30.6.1994. It is contended that due to his transfer even before the completion of two years, the studies of his children, at Srikarikota, would be disturbed. Reliance is also placed on a circular dated 14.12.1993 to contend that he is entitled to retain the quarter allotted to him till the academic year 2006-2007 is completed.

The learned Single Judge did not feel convinced with the submissions and disposed of the writ petition,

permitting the appellant herein to make a representation to the third respondent within two weeks and till appropriate decision is taken, the respondents were directed not to evict the petitioner – appellant from the quarter he is residing at Sriharikota.

Having regard to these facts and circumstances, since the order of transfer is made purely on administrative grounds, this court cannot go into its validity. However, the appellant sought to raise other grounds, but we are not inclined to accept the same and give statutory finding on those counts.

Hence, we do not find any material to interfere with the judgment rendered by the learned Single Judge. Consequently the writ appeal fails and is accordingly dismissed. But, however, as directed by the learned Single Judge, it is open for the appellant to make a representation to the third respondent, pointing out all the reasons against the transfer or otherwise and the same shall be considered on their own merits. No order as to costs.

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B.PRAKASH RAO, J.

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RAMESH RANGANATHAN, J.

August 7, 2006
MAS.